

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7156

Amended Petition of UPC Vermont Wind, LLC, for a)
Certificate of Public Good, pursuant to)
30 V.S.A. § 248, authorizing the construction and)
operation of a 40 MW wind electric generation facility,)
consisting of 16 wind turbines, and associated)
transmission and interconnection facilities, in Sheffield)
and Sutton, Vermont, to be known as the "Sheffield)
Wind Project")

Order entered: 11/30/2009

SECOND ORDER RE COMPLIANCE FILINGS

On October 28, 2009, the Public Service Board ("Board") issued an Order addressing certain proposed alternatives to the design plans previously approved in this Docket. The Board approved two of the three proposed alternatives, but determined that Vermont Wind LLC ("Vermont Wind") had not provided sufficient information regarding Design Alternative 1 to allow this modification to the approved final design plans. In particular, the Board stated:

The proposed reconfiguration of the access road appears to increase the impact on a stream connecting two wetlands. The proposed Design Alternative was not accompanied by any meaningful analysis of the impact on the stream, and accordingly, the Board cannot determine whether the proposed reconfiguration will have an undue adverse impact on the stream or nearby wetlands. We deny the request to alter the configuration of the access road near Turbine 9 and require Vermont Wind to institute the site plan for this area that was approved by the Board on December 10, 2008. Should Vermont Wind wish to pursue the modification of this access road, it must file additional and adequate supporting information addressing impacts on the stream and wetlands.

On November 5, 2009, Vermont Wind filed additional information stating that Design Alternative 1: (1) would not impact the stream, as a bottomless culvert would be used; (2) would not create any new impacts on the nearby wetlands; (3) would reduce the need for significant earthwork and creation of steep slopes in that area; and (4) the Design Alternative had been

incorporated into a stormwater permit issued by the Agency of Natural Resources. Vermont Wind renewed its request that the Board approve Design Alternative 1.

No party filed comments on Vermont Wind's request.

The Board has determined that Vermont Wind has provided sufficient information regarding the potential impacts of Design Alternative 1, and approves the proposal.

SO ORDERED.

Dated at Montpelier, Vermont, this 30th day of November, 2009.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: November 30, 2009

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.